

Commissioners Meeting Minutes

July 7, 2008

The Randolph County Board of Commissioners met in regular session at 4:00 p.m. in the Commissioners Meeting Room, County Office Building, 725 McDowell Road, Asheboro, NC. Commissioners Holmes, Frye, Haywood, Kemp and Lanier were present. Rev. Randy Kelley, Parks Cross Roads Christian Church, Ramseur, gave the invocation and everyone recited the Pledge of Allegiance.

Public Comment Period

Pursuant to N.C.G.S. § 153A-52.1, Chairman Holmes opened the floor for public comment. No one spoke, and Chairman Holmes closed the floor for public comment.

Approval of Consent Agenda

On motion of Lanier, seconded by Frye, the Board voted unanimously to approve the Consent Agenda, as follows:

- approve minutes of 6/2/08 regular and closed session, 6/3/08 budget, 6/9/08 special and closed session of joint meeting with Asheboro City Council, 6/9/08 budget, 6/16/08 budget and closed session and 6/23/08 budget;*
- approve DOT resolutions adding Peace Forest Lane and Featherstone Court to state roads system, as follows:*

***WHEREAS**, the Department of Transportation has investigated Peace Forest Lane in the Peace Forest Subdivision; and*

***WHEREAS**, the subject street has been found to meet minimum requirements for addition.*

***NOW, THEREFORE, BE IT RESOLVED** by the Randolph County Board of Commissioners that Peace Forest Lane in the Peace Forest Subdivision be added to the Division of Highways' Secondary Road System.*

and

***WHEREAS**, the Department of Transportation has investigated Featherstone Court in the Featherstone Subdivision; and*

***WHEREAS**, the subject street has been found to meet minimum requirements for addition.*

***NOW, THEREFORE, BE IT RESOLVED** by the Randolph County Board of Commissioners that Featherstone Court in the Featherstone Subdivision be added to the Division of Highways' Secondary Road System*

- approve DOT resolution supporting road improvements at SR 1595 (Surrett Drive) at SR 1748 (Trinity High School Road), as follows:*

***WHEREAS**, the North Carolina Department of Transportation (NCDOT) has investigated the accident history at the intersection of SR 1595 (Surrett Drive) and SR 1748 (Trinity High School Road); and,*

***WHEREAS**, the aforementioned accident investigation found that several accidents that have occurred could be correctable with the addition of turn lanes; and*

***WHEREAS**, the NCDOT will construct a left turn lane and a right turn lane on SR 1595 (Surrett Drive) at SR 1748 (Trinity High School Road); and*

***WHEREAS**, the NCDOT will fund the survey, design, right of way and construction costs associated with said road improvements; and*

***NOW, THEREFORE, BE IT RESOLVED** by the Randolph County Board of Commissioners that, in the best interest of the traveling public, NCDOT will fund and construct the aforementioned road improvements of this project.*

- approve DOT resolution supporting road improvements at US 220 Business at SR 2114 (Providence Church Road), as follows:

WHEREAS, the North Carolina Department of Transportation (NCDOT) has investigated the accident history at the intersection of US 220 Business and SR 2114 (Providence Church Road); and,

WHEREAS, the aforementioned accident investigation found that several accidents that have occurred could be correctable with the addition of turn lanes and a fully actuated traffic signal; and

WHEREAS, the NCDOT will construct a left turn lane on US 220 Business at SR 2114 (Providence Church Road), right turn lane on SR 2114 (Providence Church Road) at US 220 Business and a fully actuated traffic signal at the intersection of US 220 Business and SR 2114 (Providence Church Road); and

WHEREAS, the NCDOT will fund the survey, design, right of way and construction costs associated with said road improvements; and

NOW, THEREFORE, BE IT RESOLVED by the Randolph County Board of Commissioners that, in the best interest of the traveling public, NCDOT will fund and construct the aforementioned road improvements of this project.

- approve resolution supporting Randolph Reads: A Home on the Field, as follows:

WHEREAS, Randolph Reads is a community reading program, the concept of which originated in Seattle in 1998 and has spread nationwide; and

WHEREAS, these programs are designed to bring people together through reading a book that explores matters relevant to the community in order to allow people from all walks of life to have a common literary experience and share their views on themes and issues raised by the book under consideration; and

WHEREAS, the Randolph Reads program was begun by the Friends of the Library in 2003 with Harper Lee's To Kill a Mockingbird, where hundreds of participants read the book and joined in discussion and activities; and

WHEREAS, in subsequent years Randolph Reads selections have included Raney by Clyde Edgerton and Wolf Whistle by Lewis Nordan; and

WHEREAS, Randolph Reads: A Home on the Field—How One Championship Soccer Team Inspires Hope for the Revival of Small Town America by Paul Cuadros will run during September and October, 2008 and is sponsored by the Latino Coalition of Randolph County in partnership with the Friends of the Library, the Randolph Arts Guild and the Randolph County Public Library, and includes representation from the Asheboro City Schools, the Asheboro Police Department, Randolph Community College and the Randolph County Schools; and

WHEREAS, Randolph Reads: A Home on the Field will kickoff at 10 a.m., Saturday, September 6, at Bicentennial Park, Asheboro; and

WHEREAS, activities including community discussions, art exhibits, a film series, panel discussions and an appearance by the author of the book will take place during September and October; and

WHEREAS, Randolph Reads: A Home on the Field will culminate in a Dia de la raza celebration on Sunday, October 19.

NOW, THEREFORE, BE IT RESOLVED that the Randolph County Board of Commissioners does hereby encourage the citizens of Randolph County to participate in the Randolph Reads: A Home on the Field program during September and October in an attempt to improve race relations and increase the understanding of the greater community about who the Latino immigrants are, why they are here, how they came and what challenges they face in our community.;

- appoint Debbie MacKenzie and reappoint Brad Rice, Sonja Hole, Lucy Dorsey, Jane Leonard, Judge Scott Ethridge, and Patrick O'Hara to the Randolph County Juvenile Crime Prevention Council;
- reappoint Richard T. Wells, Rodney Trogon, Talmadge Baker, and Tim Poole to the Randolph County Criminal Justice Partnership Advisory Board;

- *appoint Rhonda Burch, DSS Board Representative and reappoint Dr. Ann Suggs, Rachel Fesmire, Curt Lorimer, George Gusler, Arnold Lanier, Janice Scarborough, Roger King, Heather Gunter, Lisa Royal, Gerri Britt and Libby Davis and to Randolph County Work First Planning Committee;*
- *approve 2008 Randolph County Classification Plan, as presented;*
- *approve new inter-local agreement with Archdale for tax collection, as follows:*

THIS AGREEMENT, is made and entered into this 23rd day of April 2008, by and between the CITY OF ARCHDALE, hereinafter referred to as "CITY" and RANDOLPH COUNTY, hereinafter referred to as "COUNTY." WITNESSETH: In mutual consideration of and in exchange for the Promises contained herein the Parties agree and covenant as follows:

(1) Pursuant to the provisions of the North Carolina General Statute 160A-461, the County and the City agree to consolidate their tax collecting efforts to the extent provided herein. This agreement shall cover tax collections for fiscal year beginning July 1, 2008 and shall continue until terminated as provided in paragraph fourteen (14) of this agreement. This agreement shall cover all current and delinquent taxes, both real and personal.

(2) On and after July 1, 2008, all City ad valorem taxes for real estate properly taxable to the City that is located in Randolph County shall be collected by the County Tax Collector. This includes all late listing penalties, but not business license or other similar taxes.

(3) The operation of this joint collection effort, including releases and refunds, shall be under the supervision of the County Tax Collector and the Randolph County Board of Equalization and Review as well as the Randolph County Board of Commissioners.

(4) In exchange of the above described services, the City shall pay monthly to the County, one and one-fourth (1 1/4%) percent of all City taxes collected by the County. Said payment shall be remitted to the County by check from the City after receipt of funds from taxes and fees collected by the County.

(5) The County Finance Officer shall periodically remit by check or ACH Deposit the full amount of taxes and penalties collected, less any discounts. Said check/ACH deposits shall be remitted on a monthly basis except that during the months of December and January, the remittance shall be made semi-monthly. Upon request, the County shall notify the City in advance of the date and amount of taxes to be remitted.

(6) Records showing separately the amount of County taxes assessed and collected and the amount of City taxes assessed and collected shall be maintained by the County Tax Collector.

(7) Upon discovery of unlisted property within the City limits, the County Assessor shall place the property on both County and City rolls.

(8) Only one tax bill shall be mailed to a taxpayer owing taxes to both of the taxing units. In the event of partial payments on a consolidated bill, the amount of such payment shall be proportionally credited, based on the ratio of tax rates, against taxes due each unit. Payments only against County or only against City taxes shall not be allowed.

(9) The tax records shall be audited annually by an independent Certified Public Accountant selected by the County. The City may, at its own expense, provide for the auditing of the records relating to taxes due it. The tax records relating to taxes due the City shall be available to the City at all reasonable times.

(10) The County Tax Collector shall perform all duties imposed by law upon the City Tax Collector with respect to City taxes.

(11) Penalties collected and discounts allowed shall be properly apportioned between the County and City where the same taxpayer makes payments on property taxable by both units.

(12) The City shall be furnished an analysis of each year's levy when it is compiled, showing ad valorem taxes and other taxes separately. As to ad valorem taxes, the analysis shall provide information as to the components comprising the real and personal valuation and taxes (e.g. total real valuation, elderly and farm exemption, public service companies, etc.), and this shall be reconciled to the amounts shown as "secured" and "unsecured" valuation and tax amounts.

(13) The City shall be furnished annually the details of any taxes or fees added to or deleted from the charges on the records of taxes and fees due the City and the total amount of taxes collected for the year.

(14) This agreement may be terminated by either of the parties upon written notice of the intention to terminate the contract given to the other party at least six (6) months before the expiration of the fiscal year in which the resolution directing such termination is adopted.

(15) Amendments to this agreement shall be effective only when reduced to writing and adopted by a majority vote of the members of each of the governing boards of the parties and its execution by the proper officials of each unit.

(16) The term "collections" shall include listings and billings.

Economic Development Corporation Report

Bonnie Renfro, President, Randolph County Economic Development Corporation, updated the Board on plans to expand its recruitment targets to include tourism asset development and small to mid-sized professional and technical service businesses. She said that her office is already taking some steps to implement this strategy; they include 1) establish an advisory committee that will include members from the EDC Board, TDA Board, Zoo, Chambers of Commerce, Historic Landmark Preservation Commission and developers; 2) seek out low hanging fruit opportunities; 3) identify resources including inventory of facilities and site, tax credits, grant programs and establish a framework for consideration of local support; 4) assess and improve infrastructure access and regulatory policy; and 5) marketing plan for technology and professional service businesses.

Progress Report on Closing of Unmanned Convenience Sites

David Townsend, III, Public Works Director, said that as of June 30, 2008, two of the unmanned recycling sites, one located at Jack Lanier's Convenience Store in the New Hope area and the other located on Fuller Miller Road identified as Pleasant Hill and located beside Pleasant Hill Methodist Church, have been closed. The buildings were relocated to the Randolph County Maintenance Department site for future storage. The previous week the unmanned sites that had dumpsters, one being located at the Maintenance Department for the Town of Franklinville and the second being located at Hillsville next to the Guil-Rand Fire Department were closed. The reason for the closing was due to the illegal dumping that continued to contaminate the recyclables. He said that three unmanned sites, one of which is located at the North Carolina Zoo, are still being maintained by his department. The second is located behind the Town Hall of Randleman and the third site is located in the Liberty area.

Mr. Townsend also reported that the Public Works Department is working to develop a manned site in Liberty and will be on the August Commissioners meeting agenda to award the contract for this work. He said that he is actively looking for a two-acre site in the Archdale/Trinity area to place a manned convenience site.

Public Hearing on Rural Operating Assistance Program (ROAP) and Approval of FY 08-09 ROAP Application and Appendix B Certified Statement

At 4:33 p.m. the Board adjourned to a duly advertised public hearing concerning the FY 2008-09 ROAP grant application. Roger King, Transportation Director, Randolph County Area Transit System, told the Board that this grant consolidates the Elderly and Disabled Transportation Assistance Program (EDTAP), the Work First Transitional/Employment Transportation Assistance Program (WF/EMP) and the Rural General Public Program (RGP) into a single package. The \$310,269 (\$122,758-EDTAP, \$40,574-WF/EMP, \$146,937-RGP) requested is based on formulas approved by the General Assembly.

Chairman Holmes opened the public hearing. No one was present to speak. Chairman Holmes closed the public hearing.

On motion of Frye, seconded by Haywood, the Board voted unanimously to approve the FY 2008-09 ROAP grant application and Appendix B Certified Statement, as follows:

WHEREAS Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering all federal and/or state programs related to public transportation, and grants NCDOT authority to do all things required in applicable federal and/or state legislation to properly administer the public transportation programs within the State of North Carolina;

WHEREAS, G.S. 136-44.27 established the Elderly and Disabled Transportation Assistance Program;

WHEREAS, funds will be used for transportation related expenditures as specified in the FY09 Rural Operating Assistance Program (ROAP) application;

WHEREAS, information regarding use of the funds will be provided at such time and in such a manner as NCDOT may require;

WHEREAS, it is the policy of the North Carolina Department of Transportation that Disadvantaged Business Enterprises, Minority Owned Business Enterprises and Women Owned Business Enterprises shall have the opportunity to participate in the performance of contracts financed in whole or part by Federal and State funds in order to create a level playing field, and the county shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract.

WHEREAS, ROAP funds will be used to provide eligible services during the period July 1, 2008 through June 30, 2009;

WHEREAS, any interest earned on ROAP funds will be expended for eligible program uses as specified in the ROAP application; and

WHEREAS, the County will include ROAP funds received and expended in its annual independent audit on the schedule of federal and state financial assistance. Funds passed through to other agencies will be identified as such.

This is to certify that the undersigned is duly elected, qualified and acting chairperson of the Board of County Commissioners of the County of Randolph, North Carolina, and that the following statements are true and accurate:

Elderly and Disabled Transportation Assistance Program

1. The funds received from G.S. 136-44.27 will be used to provide transportation services for the elderly and disabled allowing individuals to reside for a longer period in their homes, thereby enhancing their quality of life.
2. The funds will not be used to supplant or replace existing federal, state or local funds designated to provide elderly and disabled transportation services in the county.

Employment Transportation Assistance Program

1. The purpose of these transportation funds is to assist transitional Work First participants after eligibility for cash assistance has concluded, participants in local Workforce Development Programs, and/or the general public with employment-related transportation needs
2. The funds are limited to use by the local Department of Social Services, Work Force Development Program or the community transportation system.
3. The funds may be transferred to the Elderly and Disabled Transportation Assistance Program or the Rural General Public Program after an assessment of employment transportation needs in the service area indicates that employment transportation needs are substantially being met. This assessment will occur prior to any transfer of funds and following submission of a statement to that effect from the County Manager to the Public Transportation Division.

Rural General Public Program

1. The funds are limited to use by the community transportation system
2. The funds will not be used to provide human service agency trips.

Approval of Annual Settlement Report

Debra Hill, Tax Assessor/Collector, presented the collection settlement reports (real and personal property, motor vehicles, and ambulance) for FY 2007-2008, as required by G.S. 105-373. The 07-08 collection rate on real estate, business and residential personal property was 99.4%. Taxes uncollectable due to bankruptcy were \$65,920; taxes uncollectable due to appeals to the Property Tax Commission were

\$100,244. The collection rate for registered motor vehicles was 92.50%. The amount of discount given for early payment of taxes was \$806,114.11. The ambulance collection rate was 73.60% and the Medicare/Medicaid write-off was \$354,849.57. The Debt Setoff Program through the Department of Revenue returned \$336,745.46 in delinquent taxes for motor vehicles, EMS and Ash-Rand.

On motion of Kemp, seconded by Haywood, the Board unanimously accepted the following collection settlement reports for FY 2007-2008, as presented:

Beginning Balances:

Current Levy	71,867,910.80	
Delinquent Secured	321,253.82	
Delinquent Unsecured	452,429.36	
Total Beginning Receivables:		72,641,593.98

Additions:

Manual Discoveries, Public Utilities	2,416,211.21
Supplemental Billing (second billing)	532,118.46

Credits:

Collections	73,501,616.56
Releases	398,475.05
Discounts	806,114.11

Adjustments:

-71,757,876.05

Ending Balances:

Current Secured Levy	310,286.70
Current Unsecured Levy	135,981.22
Delinquent Secured	62,292.63
Delinquent Unsecured	375,157.38

Total Ending Receivables: 883,717.93

MOTOR VEHICLES

Billing Month	COUNTY ONLY	ALL DISTRICTS
Outstanding Balance:	1,131,375.57	2,256,527.80
Original Billing:	5,964,522.11	8,834,303.48
Interest Charged:	129,076.08	193,243.69
Total:	7,224,973.76	11,284,074.97
Taxes Collected:	5,764,632.89	8,534,938.28
Interest Collected:	129,076.08	193,243.69
Taxes Released:	114,477.92	189,182.70
Unpaid Taxes:	1,216,786.87	2,366,710.30
Total:	7,224,973.76	11,284,074.97

COUNTY ONLY		ALL DISTRICTS	
MONTH		MONTH	
JULY	97.73%	JULY	97.56%
AUGUST	97.46%	AUGUST	97.19%
SEPTEMBER	97.69%	SEPTEMBER	97.52%
OCTOBER	93.86%	OCTOBER	93.48%
NOVEMBER	90.79%	NOVEMBER	90.47%
DECEMBER	90.13%	DECEMBER	89.68%
JANUARY	88.55%	JANUARY	88.12%
FEBRUARY	86.52%	FEBRUARY	86.32%
MARCH	84.34%	MARCH	84.19%
APRIL	81.91%	APRIL	81.59%
MAY	77.67%	MAY	77.34%
JUNE	65.92%	JUNE	65.59%

UNCOLLECTED AMBULANCE FEES

July 1, 2007	5,187,215.83
AMBULANCE FEES CHARGED TO TAX DEPARTMENT FOR COLLECTION JULY 1, 2007 THROUGH JUNE 30,2008	3,727,763.92
LEGAL FEES (GARNISHMENTS,JUDGE- MENTS,ETC)	445.21
DEBITS	83.60
OVERPAYMENTS & REFUNDS	34,996.34
TOTAL	8,950,504.90
ALL SUMS DEPOSITED WHICH REPRESENT AMBULANCE AND LEGAL FEES	2,744,807.82
RELEASES(MEDICARE,MEDICAID)	354,849.57
UNCOLLECTED AMBULANCE FEES	5,666,955.78
CREDIT	264.37
STATUTE OF LIMITATIONS	183,627.36
TOTAL	8,950,504.90

2008 Debt Setoff Collections

Match Date	Mtr Vehicle	EMS	Ash-Rand	Total Amount
2/5/2008	\$ 53,544.62	\$ 69,459.05	\$ 6,962.07	\$129,965.74
2/19/2008	\$ 17,767.57	\$ 25,321.59	\$ 1,599.61	\$44,688.77
3/4/2008	\$ 24,121.72	\$ 32,031.01	\$ 1,074.27	\$57,227.00
3/18/2008	\$ 14,213.65	\$ 17,326.08	\$ 1,070.44	\$32,610.17
4/1/2008	\$ 8,968.64	\$ 10,486.85	\$ 583.71	\$20,039.20
4/15/2008	\$ 6,065.03	\$ 8,677.40	\$ 354.70	\$15,097.13
5/6/2008	\$ 7,192.93	\$ 10,104.02	\$ 852.09	\$18,149.04
5/20/2008	\$ 2,926.45	\$ 4,607.11	\$ 210.00	\$7,743.56
6/3/2008	\$ 2,354.21	\$ 5,439.34	\$ 323.03	\$8,116.58
6/17/2008	\$ 1,436.20	\$ 1,672.07	\$ -	\$3,108.27
Totals	\$138,591.02	\$185,124.52	\$13,029.92	\$336,745.46

Charge to Tax Collector

Chairman Holmes read the charge to collect taxes to Debra Hill, as follows:

Debra Hill is hereby authorized, empowered and commanded to collect the taxes set forth in the tax records filed in the office of the County Assessor and in the tax receipts delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County of Randolph and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real and personal property of such taxpayers, for and on account thereof, in accordance with law.

Approval to Amend Animal Control Ordinance to Add Spay/Neuter Penalty Fee

MiMi Cooper, Public Health Director, said that consistent with the Commissioners' directions, the Randolph County Board of Health wrote the adoption policy for the Ordinance to Control Animals in Randolph County. The policy was adopted at the April 14, 2008 board meeting and requires that all animals adopted from the shelter on and after July 1, 2008 be spayed or neutered by their new owners within thirty days. Failure to abide by this new policy needs an accompanying fee in the violations section of the ordinance. Ms. Cooper said that the Board of Health had approved a new penalty fee of \$200, which is based on the current average cost of spay/neuter in order that the penalty cost more than compliance. The rationale is that we want citizens to comply but we don't want it to be cheaper to pay the fine than meet the rule. She asked for the Board's approval of the fee and the change to the ordinance.

On motion of Frye, seconded by Kemp, the Board voted unanimously to amend the Animal Control Ordinance to add a \$200 spay/neuter penalty fee, as requested.

Report on Rural Center Grant Workshops

David Townsend, III, Public Works Director, reported that he and Patty Brown had attended a NC Rural Center Workshop for Clean Water Supplemental Grants in Greensboro on September 20, 2007. He also mentioned that he had attended a similar workshop in Kenansville, NC in November 2007 with representatives from the Town of Franklinville. Mr. Townsend explained that attendance of these workshops is mandatory in order to be eligible to apply for these grants. He provided copies of a summary of topics covered at the workshops, which included eligibility and matching fund requirements, types of projects covered, eligible and ineligible costs, funding schedule and contact persons.

Approval to Declare Old County Home Building as Surplus and Authorize Sale of Property

County Manager Richard Wells said that for many years the Old County Rest Home has been used for storage by County departments but has no other viable use for the County. He asked the Board to declare the building surplus and authorize negotiation of the sale of the building per State law. He said that County staff have identified other storage solutions, should the building no longer be available.

On motion of Haywood, seconded by Frye, the Board voted unanimously to declare the old County Home surplus and authorized the County Manager to begin the process of the sale of the building, pursuant to applicable laws.

Announcement of GFOA Certificate for FY 2006-2007

Will Massie, Assistant County Manager/Finance Officer, announced that Randolph County's Comprehensive Annual Financial Report has been awarded a Certificate of Achievement for Excellence in Financial Reporting for the 19th consecutive year by the Government Finance Officers Association (GFOA) of the United States and Canada. The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

September Meeting Date Set

On motion of Kemp, seconded by Frye, the Board voted unanimously to set September 2, 2008 as the date for the September regular meeting, due to the Labor Day holiday conflict.

Election of Voting Delegates for NCACC Conference in New Bern (Aug. 21-24)

On motion of Lanier, seconded by Haywood, the Board voted unanimously to elect Darrell Frye as the voting delegate for the NCACC Conference in New Bern in August.

Closed Session—Economic Development [N.C.G.S.143-318.11(a)(4)]

At 5:08 p.m., on motion of Frye, seconded by Haywood, the Board voted unanimously to go into closed session to discuss matters relating to the location or expansion of business in the area, pursuant to N.C.G.S. 143-318.11(a)(4).

Regular Meeting Resumed

At 5:27 p.m., the Board returned to regular session.

Closed Session--Personnel

At 5:27 p.m. on motion of Haywood, seconded by Frye, the Board voted unanimously to go into closed session to consider the qualifications, competence, performance, condition of appointment of a public officer or employee or prospective public officer or employee, pursuant to N.C.G.S. 143-318.11(a)(6).

Regular Meeting Resumed

At 5:50 p.m., the Board returned to regular session.

Adjournment

At 5:50 p.m., there being no further business, the meeting adjourned.

J. Harold Holmes, Chairman

Darrell L. Frye

Phil Kemp

Arnold Lanier

Stan Haywood

Cheryl A. Ivey, Clerk